

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES)
)
v.)
)
)
Noel Hernandez,)
)
Defendant.)
_____)

Criminal No.: 04 CR 10319 WGY

NOTICE OF APPEAL AND REQUEST TO WAIVE FILING FEE

NOW COMES the Defendant, Noel Hernandez, through counsel, and hereby gives notice of his appeal from his Conviction and Sentence, which was imposed on October 18, 2005. Mr. Hernandez has already been found to be indigent by the Court and respectfully requests that the filing fee be waived.

Respectfully submitted,



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CERTIFICATE OF SERVICE

I, Peter Charles Horstmann, Esquire, hereby certify that on this 27th day of October, 2005, a copy of the foregoing NOTICE OF APPEAL was served electronically upon Nancy Rue and David Tobin, Assistant United States Attorneys, United States Attorney's Office, One Courthouse Way, Suite 9200, Boston, MA 02210.



Peter Charles Horstmann